

**IN THE U.S. DISTRICT COURT FOR MARYLAND,
SOUTHERN DIVISION**

BEYOND SYSTEMS, INC.)	
)	
Plaintiff)	
v.)	Case No. PJM 08 cv 0921
)	
WORLD AVENUE USA, LLC, et al.)	
Defendants)	
_____)	

**DEFENDANT, WORLD AVENUE USA, LLC’S MOTION FOR EXTENSION OF TIME
TO RESPOND TO PLAINTIFF’S MOTION FOR PARTIAL SUMMARY JUDGMENT
WITH PARTIAL CONSENT OF THE PLAINTIFF**

Defendant, WORLD AVENUE USA, LLC (“WAUSA”) hereby moves for an extension (*with the partial consent of the Plaintiff*) of time until Monday, November 22, 2010, in which to file its Memorandum of Law in Opposition to Plaintiff’s Motion for Partial Summary Judgment Establishing Defendant World Avenue USA, LLC and TheUseful, LLC as a Single Entity or, in the Alternative, for Entry of an Order of Default Against TheUseful, LLC [DE 480], and states:

1. Plaintiff, Beyond Systems, Inc. (“BSI”) filed a Motion for Partial Summary Judgment Establishing Defendant World Avenue USA, LLC and TheUseful, LLC as a Single Entity or, in the Alternative, for Entry of an Order of Default Against TheUseful, LLC [DE 480] on October 29, 2010.

2. Defendant WAUSA’s Memorandum of Law In Opposition is presently due today, November 15, 2010.

3. Defendant WAUSA requires additional time within which to address the arguments raised within Plaintiff’s Motion filed at DE 480, and believes that an extension is necessary. BSI’s filings at DE 480 and 459 (which addresses a similar issue) measure ***two and three-quarters (2 ¾) inches high in paper*** and consist of a thirty-two (32) page Memorandum

and nineteen (19) accompanying exhibits and a thirteen (13) page Memorandum with eighteen (18) exhibits, respectively. More importantly, BSI's Motions take a concise set of facts and attempts -- without reference to the applicable law -- to draw a conclusion that summary judgment is appropriate. On Friday, November 12th, WAUSA filed its Memorandum in Opposition to the counterpart Motion at DE 459, and is preparing its Memorandum in Opposition to BSI's filing at DE 480. However, due to the exigencies of the intervening weekend and the need to comply with Court Orders and filing deadlines during the last week, WAUSA has been unable to perfect its Memorandum of Law In Opposition.

4. The Motion is of particular importance because, among other things, it seeks the imposition of a \$105 million judgment against a non-party that has never been served with a summons in this case.

5. BSI requested and received with WAUSA's consent three (3) extensions of time at DE 285, 326, and 331 totaling eighteen (18) days to respond to WAUSA's Motion for Summary Judgment. WAUSA is requesting a fraction of that time -- just seven (7) days.

6. Defendant WAUSA requests an extension of time until Monday, November 22, 2010, in which to file its Response to Plaintiff's Motion for Partial Summary Judgment Establishing Defendant World Avenue USA, LLC and TheUseful, LLC as a Single Entity or, in the Alternative, for Entry of an Order of Default Against TheUseful, LLC [DE 480].

7. Pursuant to Local Rule 104, counsel for WAUSA has requested the extension from BSI, but counsel for BSI has refused to give the entire extension until Monday, November 22nd. Instead, BSI has consented to a four (4) day extension of time until Friday, November 19th.

WHEREFORE, Defendant WORLD AVENUE USA, LLC respectfully requests entry of an Order extending the time within which to file its response to Plaintiff's Motion for Partial Summary Judgment Establishing Defendant World Avenue USA, LLC and TheUseful, LLC as a Single Entity or, in the Alternative, for Entry of an Order of Default Against TheUseful, LLC [DE 480] until Monday, November 22, 2010, and for such other and further relief as this Court deems just and appropriate.

Respectfully submitted,
Attorneys for World Avenue USA, LLC

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